

FILED for  
Roanoke  
JUL 06 2006

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JOHN F. CORCORAN, CLERK  
BY: *M. Hupp*  
DEPUTY CLERK

LEE S. MYERS, # 276467,  
Plaintiff,

v.

GENE JOHNSON, et al.,  
Defendant.

)  
) Civil Action No. 7:06cv00348  
)

) FINAL ORDER  
)

) By: Hon. Jackson L. Kiser  
) Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby **ADJUDGED** and **ORDERED** that this action shall be and hereby is **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1); all pending motions are hereby **DENIED as MOOT**; and this case will be **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send certified copies of this Order and accompanying Memorandum Opinion to the plaintiff and counsel of record for the defendants, if known.

ENTER: This 6<sup>th</sup> day of July, 2006.

*Jackson L. Kiser*  
Senior United States District Judge